

**PETITION FOR ZONING VARIANCE** 84-300-A  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.2 to permit a rear yard setback of 28 feet, in lieu of the required 30 feet, and to permit a side yard setback of 3 feet, in lieu of the required 30 feet.

Adequate parking cannot be implemented at this site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: \_\_\_\_\_  
James W. McKee  
McKee & Associates, Inc.  
1717 York Road, Lutherville, MD 21093  
Address Phone No. 252-5820  
Attorney's Telephone No.: \_\_\_\_\_  
ORDERED BY The Zoning Commissioner of Baltimore County, this 28th day of March, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of May, 1984, at 11:15 o'clock A.M.

(over)

Mr. Michael J. Aiello  
10519 York Road  
Cockeysville, Maryland 21030

McKee & Assoc., Inc.  
1717 York Road  
Lutherville, Maryland 21093

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 28th day of March, 1984.

Petitioner: Michael J. Aiello  
Petitioner's Attorney: \_\_\_\_\_  
Received by: Arnold Jablon  
Zoning Commissioner  
Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

**BALTIMORE COUNTY**

**ZONING PLANS**

**ADVISORY COMMITTEE**



**PETITION AND SITE PLAN**

**EVALUATION COMMENTS**

Case No. 84-300-A (Item No. 136)  
Petitioner - Michael J. Aiello  
Page 2

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari  
Chairman  
Zoning Plans Advisory Committee

NBC:mch

Enclosures

cc: McKee & Associates, Inc.  
1717 York Road  
Lutherville, Maryland 21093

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Arnold Jablon  
Zoning Commissioner  
Date: April 20, 1984  
Norman E. Gerber, Director  
Office of Planning and Zoning  
Michael J. Aiello  
SUBJECT: 84-300-A

The Current Planning and Development's representatives to the Zoning Plans Advisory Committee comments, in part, identified problems relating to floodplain and wetland soils as well as dissatisfaction with the parking arrangement and the lack of provision for landscaping. In view of these comments it is this office's opinion that the proposed building should be reduced in size so that these problems can be resolved. It is therefore recommended that the petition in its current form be denied.

Norman E. Gerber, Director  
Office of Planning and Zoning

NEG/JGH/sf

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

April 27, 1984

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. Michael J. Aiello  
10519 York Road  
Cockeysville, Maryland 21030

RE: Case No. 84-300-A (Item No. 136)  
Petitioner - Michael J. Aiello  
Variance Petition

Dear Mr. Aiello:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct a two-story retail/office building closer to the side and rear property lines, this hearing is required.

It is my understanding that your surveyor, Mr. McKee, revised the site plan to show parking within the flood plain after clearing it with the Bureau of Engineering. Because of this, the petition was scheduled for a hearing. However, subsequent to this, a revised comment was submitted by the Office of Current Planning which conflicts with the above. In view of this, I suggest that you be prepared to discuss this matter (i.e. parking in the flood plain) at the scheduled hearing.

In addition to the above, Mr. Mike Flanigan, Department of Traffic Engineering, indicated that the revised site plan must indicate sidewalk along the entire frontage of the site. You may contact Mr. Flanigan at 434-3554, in order to discuss this matter.



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 26, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #136 (1983-1984)  
Property Owner: Michael J. Aiello  
E/S York Rd. 200' N. from centerline Warren Rd.  
Acres: 1.07 District: 8th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

**Highways:**

York Road (Md. 45) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The entrance locations are also subject to approval by the Department of Traffic Engineering.

**Sediment Control:**

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

**Storm Drains:**

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Item #136 (1983-1984)  
Property Owner: Michael J. Aiello  
Page 2  
January 26, 1984

**Storm Drains: (Cont'd)**

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm, or a minimum width of 50 feet will be required. Further information may be obtained from the Baltimore County Bureau of Engineering, Storm Drain Design and Approval Section.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

**Water and Sanitary Sewer:**

Public 12 and 30-inch water mains exist in York Road. Public 8-inch sanitary sewerage exists in York Road and along the northerly side of the stream traversing this property.

Fire hydrants are located in excess of 300 feet from this property.

Very truly yours,

Robert A. Morton, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:iss

cc: Jim Markle  
William Munchel

V-SE Key Sheet  
65 x 66 NW 5 Pos. Sheets  
NW 17 B Topo  
51 Tax Map



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit



Lowell K. Bridwell  
Secretary  
M. S. Caltrider  
Administrator

January 11, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 12-13-83  
ITEM: #136  
Property Owner: Michael J. Aiello  
Location: E/S York Road  
Route 45, 200' N. from c/l  
Warren Road  
Existing Zoning: B.R.  
Proposed Zoning: Variance  
to permit a rear yard setback of 10' in lieu of the required 30' and to permit a side yard setback of 18' in lieu of the required 30'.  
Acres: 1.07  
District: 8th

Dear Mr. Jablon:

On review of the site plan of 11-21-83 and field inspection, the State Highway Administration will require the plan to be revised.

The revised plan must show the following:

1. "One" point of access to York Road by way of a 30' wide radius return entrance.
2. State Highway Administration Type "A" concrete curb and gutter constructed for a distance of 130'± from the south property line.

My telephone number is (301) 659-1350  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5652 Statewide Toll Free  
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Mr. A. Jablon -2- January 11, 1984

3. A bituminous curb to begin at the end of S.H.A. Type "A" curb and gutter and meet the existing S.H.A. guardrail to the north.
4. Roadside face of roadside curb to be 31'± from the centerline of York Road with S.H.A. concrete curb in back of the proposed right of way line.
5. The area from the edge of the traveled way to the gutter pan must be paved to meet S.H.A. standards.
6. On the day of inspection, it was noted that storm drain pipes outfall into the existing stream to the north. All existing and proposed drainage pipes must be shown on the revised plan.

It is requested the plan be revised prior to a hearing date being set. All work within the S.H.A. Right of Way must be through permit with the posting of a bond in the amount of \$15,000.00 to guarantee construction.

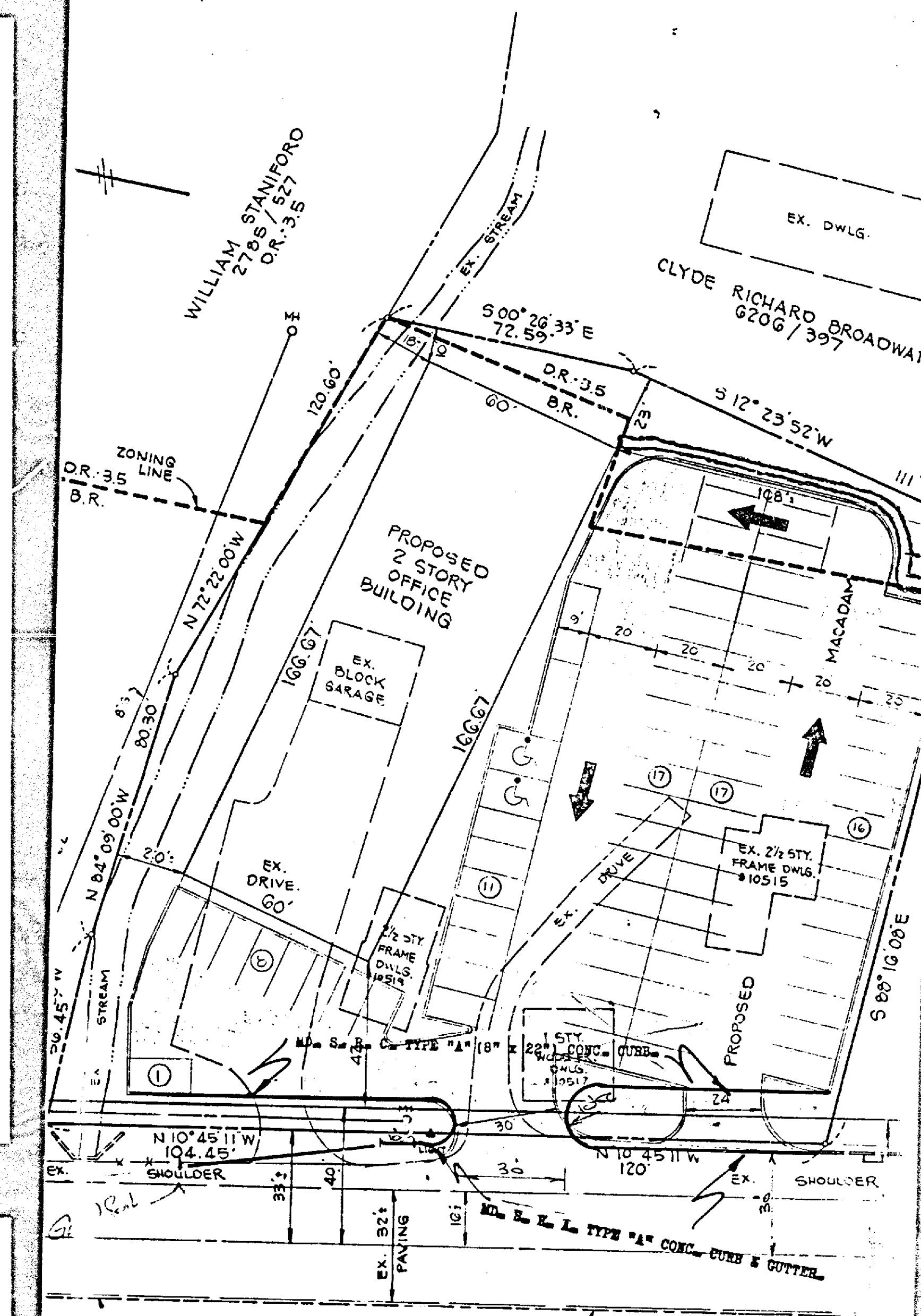
Very truly yours,

Charles Lee, Chief  
Bureau of Engineering  
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle



Lowell K. Bridwell  
Secretary  
M. S. Caltrider  
Administrator

April 16, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: ZAC Meeting of 12-13-83  
ITEM: #136  
Property Owner: Michael J. Aiello  
Location: E/S York Road  
Route 45, 200' N. from c/l  
Warren Road  
Existing Zoning: B.R.  
Proposed Zoning: Variance  
to permit a rear yard setback of 10' in lieu of the required 30' and to permit a side yard setback of 18' in lieu of the required 30'.  
Acres: 1.07  
District: 8th

Dear Mr. Jablon:

On review of the revised site plan of 3-28-84, the State Highway Administration finds the plan generally acceptable.

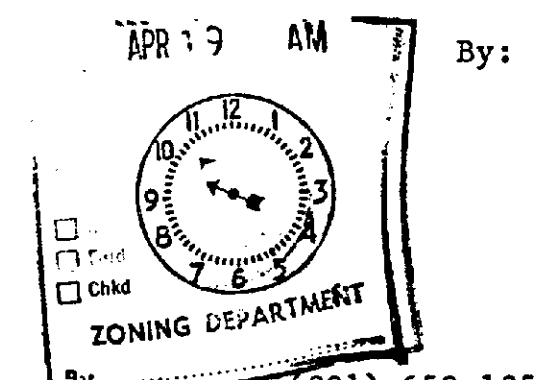
Very truly yours,

Charles Lee, Chief  
Bureau of Engineering  
Access Permits

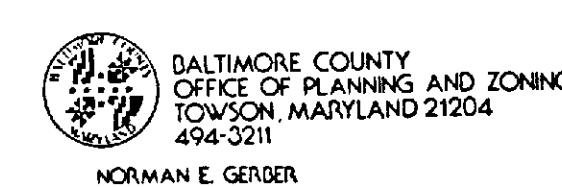
By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle



My telephone number is (301) 659-1350  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5652 Statewide Toll Free  
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Zoning Advisory Meeting of  
Item #136 - Revised Plan  
Property Owner:  
Location:

Dear Mr. Jablon:

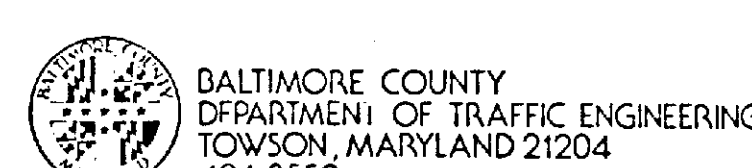
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ( ) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The Amended Development Plan was approved by the Planning Board.
- ( ) Landscaping should be provided on this site and shown on the plan.
- ( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ( ) The property is located in a traffic area controlled by a "B" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ( ) Additional comments:

*Handwritten notes:*  
Parking may not be located within 100' of the intersection. All work within the S.H.A. Right of Way must be through permit with the posting of a bond in the amount of \$15,000.00 to guarantee construction.

Expans G. B. Roberts  
Fuefue A. Roberts  
Chief, Current Planning and Development

cc: James Howell



STEPHEN E. COLLINS  
DIRECTOR

January 12, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 136 - ZAC Meeting of December 13, 1983  
Property Owner: Michael J. Aiello  
Location: E/S York Road 200' N. from c/l Warren Road  
Existing Zoning: B.R.  
Proposed Zoning: Variance to permit a rear yard setback of 10' in lieu of the required 30' and to permit a side yard setback of 18' in lieu of the required 30'.  
Acres: 1.07  
District: 8th

Dear Mr. Jablon:

The plan must be revised to show a widening of York Road to 30' from the C/L and sidewalk along the entire frontage of the site. The site can only have one entrance on York Road 30 feet wide with 25' radius. The driveway between the parking lot in front of the building and the parking lot on the side of the building must be 24' wide.

Michael S. Flanagan  
Traffic Engineering Assoc. II

MSF/cdm

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 136, Zoning Advisory Committee Meeting of Dec 13, 1983  
Property Owner: Michael J. Aiello  
Location: E/S York Road District 8  
Water Supply: public Sewage Disposal: public

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 454-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charcoal/grill operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appearances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)



Zoning Item # 136 Zoning Advisory Committee Meeting of Dec 13, 1983  
Page 2

- (✓) Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ( ) Soil percolation tests (have been/must be) conducted.  
( ) The results are valid until  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test  
( ) shall be valid until  
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (✓) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (✓) Others No development of this type will be permitted on wetland soils in Baltimore County. Owner should contact the Division of Water Quality and Waste Management regarding this matter, since it appears the proposed building may be intruding on wetland soils associated with the stream transecting the property.

*David J. Long*  
David J. Long, Director  
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
E/S York Rd., 200' N of : OF BALTIMORE COUNTY  
Warren Rd. (10515-10519 :  
York Rd.), 8th District :  
MICHAEL J. AIELLO, : Case No. 84-300-A  
Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 20th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. Michael J. Aiello, 10519 York Rd., Cockeysville, MD 21030, Petitioner; and Mr. James W. McKee, McKee & Associates, Inc., 1717 York Rd., Lutherville, MD 21093, who requested notification.

*Peter Max Zimmerman*  
Peter Max Zimmerman

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

February 14, 1984

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Michael J. Aiello

Location: E/S York Road 200' N. from c/l Warren Road

Item No.: 136

Zoning Agenda: Meeting of 12/13/83

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George W. Hegonist* Noted and Approved  
Special Inspection Division Fire Prevention Bureau

/mb

IN THE MATTER : BEFORE  
OF THE APPLICATION OF : COUNTY BOARD OF APPEALS  
MICHAEL J. AIELLO :  
FOR A PETITION : OF  
FOR VARIANCES : BALTIMORE COUNTY  
E/S OF YORK ROAD 200' :  
N OF WARREN ROAD : NO. 84-300-A  
(10515-10519 York Road) :  
8th DISTRICT :

ORDER OF DISMISSAL

Petition of Michael J. Aiello for variance from Section 238.2 of the Baltimore County Zoning Regulations (rear and side yard setbacks) on property located on the east side of York Road 200 feet north of Warren Road, in the Eighth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Stipulation to dismiss the appeal filed November 28, 1984 (a copy of which is attached hereto and made a part hereof) from the People's Counsel for Baltimore County, Appellant in the above entitled case, said Stipulation also signed by the Petitioner; and

WHEREAS, the said Stipulation requests that the appeal filed by the People's Counsel for Baltimore County be dismissed inasmuch as the matter is moot as of November 28, 1984,

IT IS HEREBY ORDERED this 29th day of November, 1984, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*Lawrence E. Schmidt*  
Lawrence E. Schmidt, Acting Chairman

*Patricia Phipps*  
LeRoy E. Spitzer  
Patricia Phipps

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3010

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 136 Zoning Advisory Committee Meeting are as follows:

Property Owner: Michael J. Aiello  
Location: E/S York Road 200' N. from c/l Warren Road  
Existing Zoning: R-2  
Proposed Zoning: Variance to permit a rear yard setback of 10' in lieu of the required 30' and to permit a side yard setback of 18' in lieu of the required 30'.

Address: 1.07  
District: 8th.

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged, and other applicable Codes.

X B. A building/other permit shall be required before beginning construction. Hazardous paving - permits will be needed.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 5'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot line. A fire wall is required if construction is on the lot line, see Table 401, line 2, Section 1107 and Table 1102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section 4.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed, comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

X I. Comments - Access to both floors by the Handicapped shall be provided. Also, show curb cuts, signage, building access as required by State Code. It is assumed there are no riverine flood plains from the stream.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB:es

IN THE MATTER OF : BEFORE THE COUNTY BOARD OF APPEALS  
THE APPLICATION OF : OF BALTIMORE COUNTY  
MICHAEL J. AIELLO :  
FOR A PETITION FOR : Case No. 84-300-A  
VARIANCES, E/S of :  
York Rd., 200' N of :  
Warren Rd., 200' N :  
of Warren Rd. :  
(10515-10519 York Rd.) :  
8th District :

STIPULATION

The parties hereby request that the Board dismiss the appeal currently noted in this matter inasmuch as it is now moot because the plan approved by the Zoning Commissioner and which formed the basis of the appeal has been superseded by the plan filed in Case No. 85-117-SFH and approved by the Zoning Commissioner on November 8, 1984.

*Michael J. Aiello*  
Michael J. Aiello  
10519 York Road  
Cockeysville, MD 21030  
666-3042

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

RECEIVED  
COUNTY BOARD OF APPEALS  
MAY 28 A 9 38 E

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: 1/5/84

Mr. Arnold Jablon  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of:

RE: Item No: 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, & 142.  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,

*Wm. Rick Petrich*  
Wm. Rick Petrich, Assistant  
Department of Planning

WNP/lh

May 15, 1984

Mr. Michael J. Aiello  
10519 York Road  
Cockeysville, Maryland 21030

IN RE: Petition Zoning Variances  
E/S of York Road, 200' N of  
Warren Road (10515-10519 York  
Road)- 8th Election District  
Michael J. Aiello, Petitioner  
Case No. 84-300-A

Dear Mr. Aiello:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

AJ/arj

Attachments

cc: People's Counsel



RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER  
E/S of York Rd., 200' : OF BALTIMORE COUNTY  
N of Warren Rd. (10515- :  
10519 York Rd.), :  
8th District :  
MICHAEL J. AIELLO, Petitioner: Case No. 84-300-A

NOTICE OF APPEAL

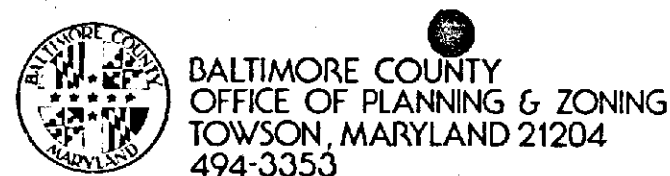
Please note an appeal from your decision in the above-captioned matter, under date of May 15, 1984, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 14<sup>th</sup> day of June, 1984, a copy of the foregoing Notice of Appeal was mailed to Mr. Michael J. Aiello, 10519 York Road, Cockeysville, MD 21030, Petitioner; and Mr. James W. McKee, McKee & Associates, Inc., 1717 York Road, Lutherville, MD 21093.

*Peter Max Zimmerman*  
Peter Max Zimmerman



ARNOLD JABLON  
ZONING COMMISSIONER

June 28, 1984

Mr. Michael J. Aiello  
10519 York Road  
Cockeysville, Maryland 21030

Re: Petition for Variances  
E/S of York Rd., 200' N of Warren  
Rd. (10515-10519 York Road)  
Michael J. Aiello - Petitioner  
Case No. 84-300-A

Dear Mr. Aiello:

Please be advised that an appeal has been filed by Phyllis C. Friedman, People's Counsel for Baltimore County, from the decision rendered by the Zoning Commissioner of Baltimore County.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,  
*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner

AJ:aj

IN RE: PETITION FOR VARIANCES : BEFORE THE  
E/S of York Rd., 200' N of Warren :  
Rd. (10515-10519 York Road :  
8th Election District :  
Michael J. Aiello :  
Petitioner :  
\* BOARD OF APPEALS  
\* OF BALTIMORE COUNTY  
\* Case No. 84-300-A

Entry of Appearance

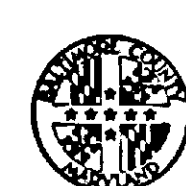
Please enter my appearance as a party in the above captioned matter, pursuant to Section 501.6, B.C.Z.R., and I hereby request that any and all notices be forwarded to my office, including but not limited to hearing dates and/or preliminary or final Orders.

*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner of Baltimore  
County  
Room 109 - 111 West Chesapeake Avenue  
Towson, Maryland 21204  
494-3353

Certificate of Mailing

IT IS HEREBY CERTIFIED that on this 28<sup>th</sup> day of June, 1984, copies of the foregoing Entry of Appearance were mailed, postage prepaid, by first class delivery to the County Attorney of Baltimore County, People's Counsel for Baltimore County, Petitioner(s) and/or Protestant(s) in the above captioned matter.

*Arnold Jablon*  
Arnold Jablon



County Board of Appeals of Baltimore County  
Room 200 Court House  
Towson, Maryland 21204  
(301) 494-3180  
November 29, 1984

Phyllis Cole Friedman  
People's Counsel for Baltimore County  
Room 223 Courthouse  
Towson, MD 21204

Re: Case No. 84-300-A  
Michael J. Aiello

Dear Ms. Friedman:

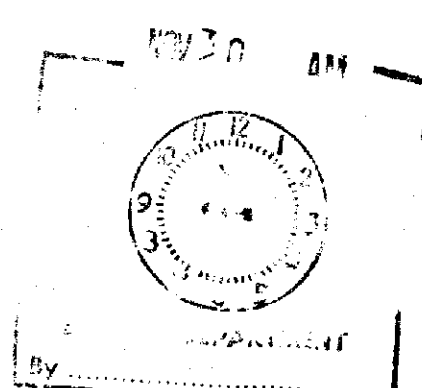
Enclosed herewith is a copy of the Order of Dismissal passed by the Board of Appeals today in the above entitled matter.

Very truly yours,

*Edith T. Eisenhart*  
Edith T. Eisenhart, Adm. Secretary

Enclosure

cc: Michael J. Aiello  
Norman E. Gerber  
James G. Howell  
Arnold Jablon  
Jean M. H. Jung  
James E. Dyer



CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8 Date of Posting: 7/8/84  
Posted for: *Mark of Appeals*  
Petitioner: *Michael J. Aiello*  
Location of property: *E/S York Rd. 200' N of Warren Rd.*  
Location of Sign: *front of property facing York Rd.*  
Remarks:  
Posted by: *Kevin J. Gorman* Date of return: 7/12/84  
Number of Signs: 1

84-300-A 8th District  
E/S York Rd., 200' N of Warren Road  
Michael J. Aiello  
1 SIGN

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 130557  
DATE: 6/20/84 ACCOUNT: R-01-615-000  
AMOUNT: \$80.00  
RECEIVED FROM: People's Counsel  
FOR: Appeal fee on Case 84-300-A  
(Michael J. Aiello)  
6 012\*\*\*\*\*609000 \$228A  
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8 Date of Posting: 4/20/84  
Posted for: *Petition for Variances*  
Petitioner: *Michael J. Aiello*  
Location of property: *E/S York Rd. 200' N of Warren Rd.*  
Location of Sign: *front of property (10515 York Rd.)*  
Remarks:  
Posted by: *Kevin J. Gorman* Date of return: 4/26/84  
Number of Signs: 1

IN THE MATTER OF THE : BEFORE THE COUNTY BOARD OF APPEALS  
APPLICATION OF :  
MICHAEL J. AIELLO : OF BALTIMORE COUNTY  
FOR A PETITION FOR :  
VARIANCES, E/S of : Case No. 84-300-A  
York Rd., 200' N of :  
Warren Rd. (10515- :  
10519 York Rd.), :  
8th District :  
REQUEST FOR STAY

The parties hereby request that the Board stay the appeal currently noted in this matter inasmuch as the plan approved by the Zoning Commissioner and which formed the basis of the appeal is no longer the plan for which Petitioner is seeking County approval; and Petitioner has filed an amended plan with the Zoning Commissioner.

*Michael J. Aiello*  
Michael J. Aiello  
10519 York Road  
Cockeysville, MD 21030  
666-3042

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

RECEIVED  
COUNTY BOARD OF APPEALS  
JUN 29 P 2 18

April 19, 1984

Mr. Michael J. Aiello  
10519 York Road  
Cockeysville, Maryland 21030

NOTICE OF HEARING  
Re: Petition for Variances  
E/S York Road, 200' N of Warren Rd.  
(10515-10519 York Road)  
Michael J. Aiello - Petitioner  
Case No. 84-300-A

TIME: 11:15 A.M.

DATE: Monday, May 7, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

cc: Mr. James W. McKee  
McKee & Associates, Inc.  
1717 York Road  
Lutherville, Maryland 21093

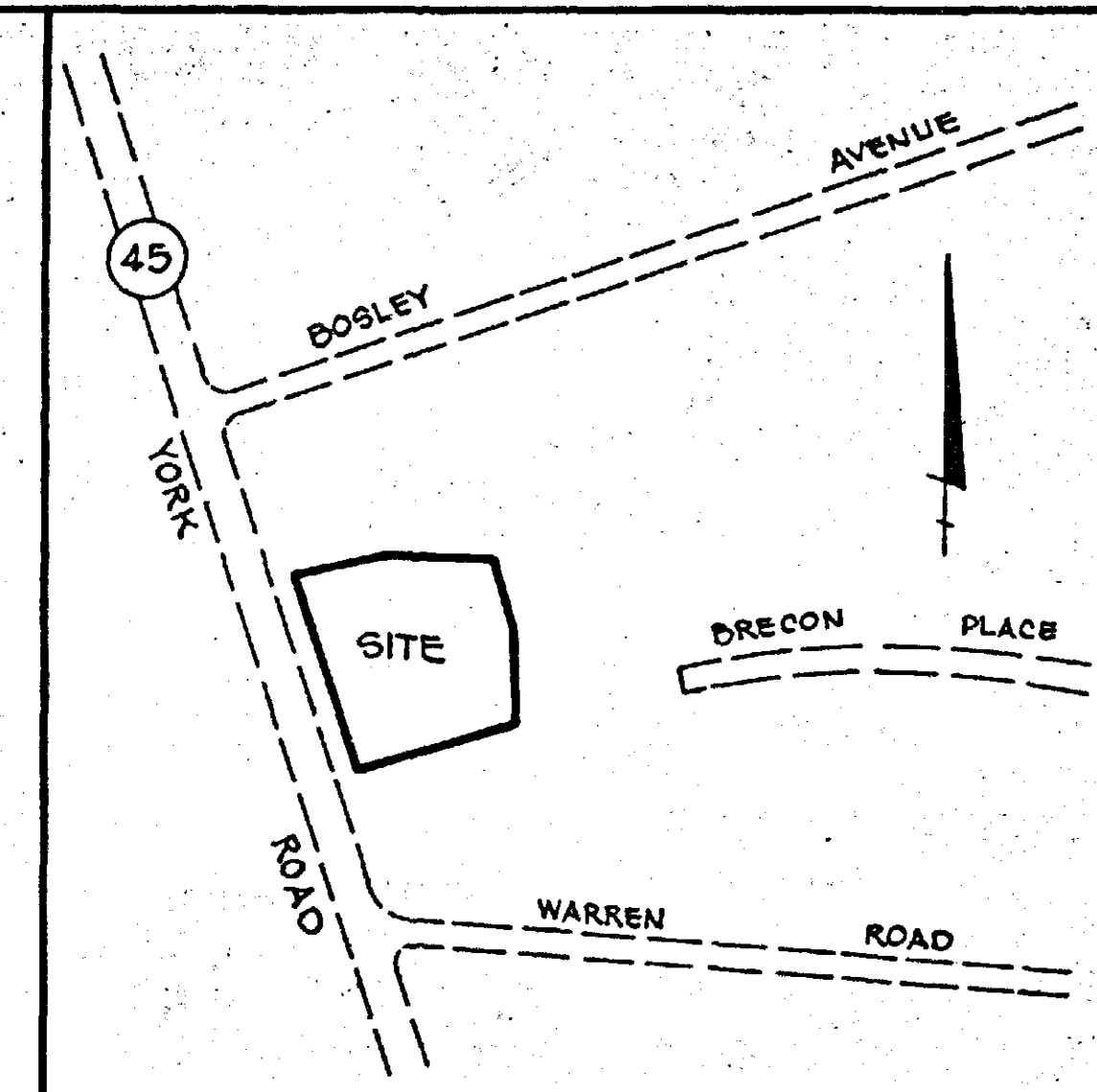
*Kevin J. Gorman*  
Kevin J. Gorman  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 122950  
DATE: 4/20/84 ACCOUNT: R-01-615-010  
AMOUNT: \$100.00  
RECEIVED FROM: *Kevin J. Gorman*  
FOR: *Appeal fee on Case 84-300-A*  
6 012\*\*\*\*\*100000 \$028A  
VALIDATION OR SIGNATURE OF CASHIER









VICINITY MAP  
SCALE: 1" = 200'

# REQUESTED VARIANCE:

REQUESTING A VARIANCE TO SECTION 238.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT A REAR YARD SETBACK OF 20' IN LIEU OF THE REQUIRED 30' AND TO PERMIT A SIDEYARD SETBACK OF 3' IN LIEU OF THE REQUIRED 30'.

# NOTES:

1. EXISTING ZONING OF PROPERTY: B.R. + OR-3.5.
2. GROSS AREA: 1.07 Ac.
3. EXISTING USE: BUSINESS + RESIDENTIAL
4. PROPOSED BLDG. SIZE: 8,125 sq. ft. (2 STORY)
5. PROPOSED BLDG. USE: 1ST. FLOOR: RETAIL  
2ND. FLOOR: OFFICES
6. PARKING DATA  
NO. OF SPACES REQUIRED: 1ST. FLOOR - 8,125 / 200 = 41  
2ND. FLOOR - 8,125 / 500 = 17  
TOTAL = 58 SPACES  
NO. OF SPACES PROVIDED: 60 SPACES (3 HANDICAPPED)
7. ALL ON-SITE EX. DWLGs. ARE TO BE RAZED.
8. ALL PARKING SPACES ARE A MINIMUM 9' x 18'.

PETITION

PLAT TO ACCOMPANY  
PETITION FOR  
VARIANCE TO ZONING

AT

#10515 - #10519 YORK ROAD

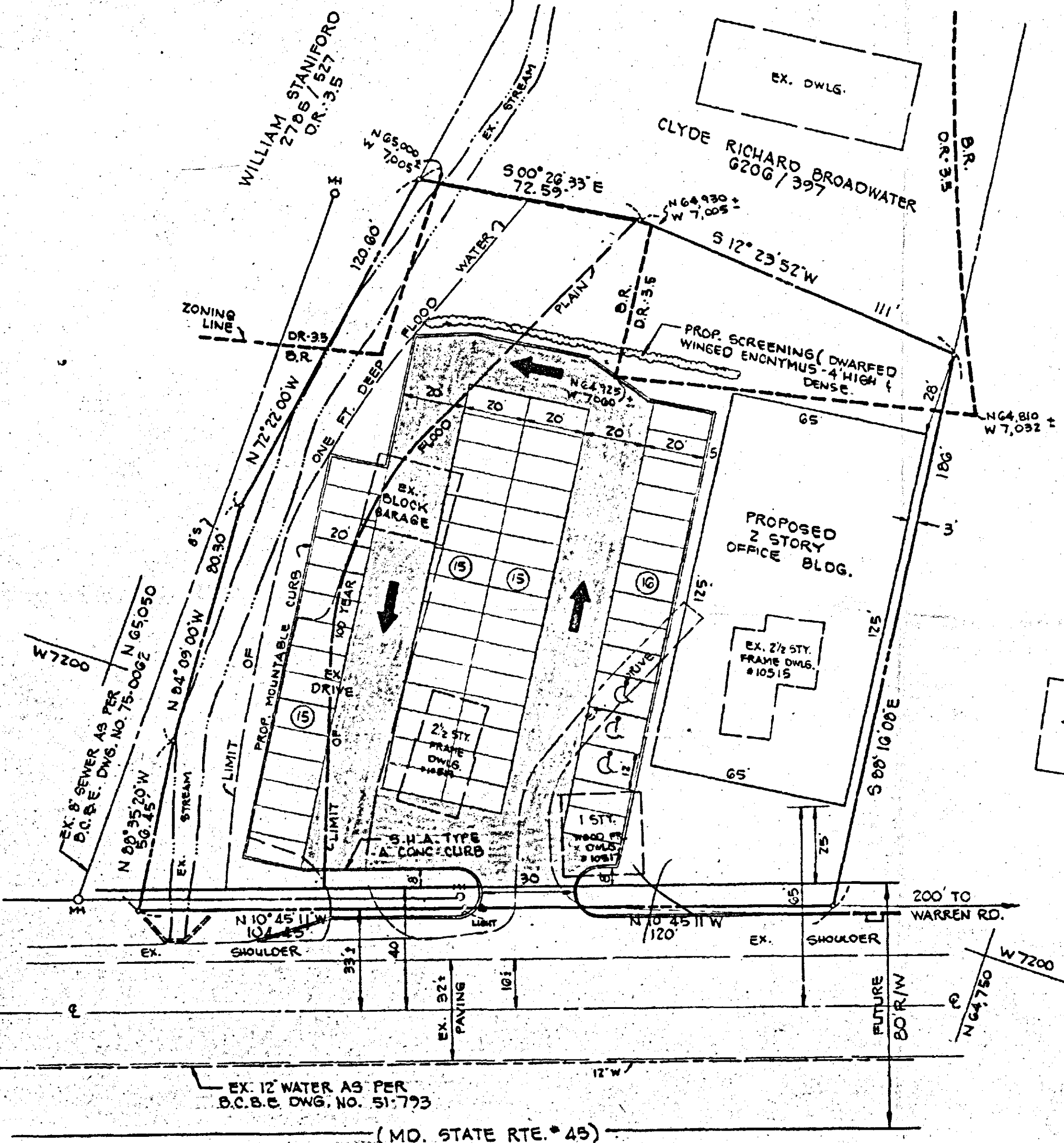
8TH. ELECTION DISTRICT  
SCALE: 1" = 30'

BALTO. CO. MD.  
NOV. 21, 1983

REVISED PLANS (REV. 3-10-84)  
(REV. 3-28-84)

APR 2 1984

EX. 1-STORY CONC. FURNITURE STORE  
(UNFINISHED SHOPPE)



YORK

ROAD

(ZONEO M.L.-I.M.)

McKEE & ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

1117 YORK ROAD, LUTHERVILLE, MD. 21093

JAMES W. McKEE  
(MD. REG. NO. 9012)

DATE

OWNER

MICHAEL J. AIELLO  
% CHER-CHRIS CONSTR. CO.  
#10519 YORK RD.  
COCKEYSVILLE, MD. 21030

